

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

In re:

CASE NO. 6:14-bk-13362-CCJ

VISITORS FLEA MARKET, LLC

CHAPTER 11

Debtor.

EMERGENCY RELIEF REQUESTED

Hearing on or before Monday, December 15, 2014

**DEBTOR'S EMERGENCY MOTION
FOR AUTHORITY TO PAY PREPETITION WAGES
AND REQUEST FOR EMERGENCY PRELIMINARY HEARING**

VISITORS FLEA MARKET, LLC (the "Debtor"), by and through its undersigned counsel, moves pursuant to 11 U.S.C. §§ 105(a) and 507(a)(4) for authority to pay prepetition wages to its employees, and requests an emergency preliminary hearing to consider the relief requested herein, and in support thereof states:

1. On December 9, 2014 (the "Petition Date"), the Debtor filed its petition for relief under Chapter 11 of Title 11 of the United States Code ("Code") (Doc. No. 1).
2. No trustee has been appointed. The Debtor continues to operate its business and manage its property as a debtor-in-possession under §§ 1107 and 1108 of the Code.

Description of the Debtor's Business and Employees

4. The Debtor manages a flea market known as "Visitors Flea Market" located at 5811 W. Irlo Bronson Memorial Hwy, Kissimmee, Florida 34746 (the "Property"). The Debtor's sister company, Visitors' Plaza, Inc.¹ ("Plaza"), owns the Property. The Debtor currently manages the Property and collects rents from certain flea market tenants, who enter into short term, week-to-week leases with the Debtor for stalls or space at the flea market. The Property has approximately 250 spaces available at the flea market. Currently, there are approximately 80 flea market vendors leasing space at the Property from the Debtor.

¹ Visitors' Plaza, Inc. is also a debtor in bankruptcy, case no. 6:14-bk-13360.

3. The Debtor has one (1) full-time and one (1) part time W-2 employees (the “Employees”). To maintain the continuity of the Debtor’s business and to preserve the going concern value of the business, it is essential that the Debtor be permitted to pay compensation to the Employees that has accrued but remains unpaid. Any disruption in payroll would have a negative effect on Employee retention and morale. If the Debtor is not permitted to pay the Employees their compensation due as of the Petition Date, Employees will not receive payment for services already performed, which would irreparably harm the Employees’ morale during the holiday season.

Relief Requested

4. The Debtor seeks authorization to pay the Employees compensation wages earned through and including December 8, 2014, which are scheduled to be paid on Monday, December 15, 2014. For the pre-petition period, the Debtor owes the Employees approximately \$666.00 in total for unpaid wages. The payroll for Employees includes approximately \$50.96 in Social Security/Medicare taxes, and \$19.00 in federal income tax withholding. The payroll time sheet for the pay period through December 8, 2014, is attached hereto as **Exhibit “A”**, which shows all amounts deducted and withheld, and the hours worked per Employee during the relevant time period.

5. For the prepetition period, no Employee will receive compensation in excess of \$11,725, the limit set forth in 11 U.S.C. § 507(a)(4)(a).

6. Payment of the Employees pre-petition wages is in the best interest of the Debtor’s estate. The Debtor’s continued operation is imperative to preserve the going concern value of the Debtor’s business.

WHEREFORE, the Debtor respectfully requests this Court (i) set an emergency hearing on this Motion **on or before December 15, 2014**, (ii) grant the Motion and authorize the Debtor to pay prepetition compensation to all Employees when such becomes due in the ordinary course of business, (iii) and for such other and further relief as is just and proper in the circumstances.

RESPECTFULLY SUBMITTED this 10th day of December 2015.

/s/ Christopher R. Thompson

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the Debtor's **EMERGENCY MOTION FOR AUTHORITY TO PAY PREPETITION WAGES AND REQUEST FOR EMERGENCY PRELIMINARY HEARING** has been furnished either electronically or by facsimile and by U.S. First Class, postage prepaid mail to: Visitors Flea Market, LLC, Inc., c/o G. Charles Wohlust, Esq., PO Box 1570, Winter Park, FL 32790; Andrew M Brumby Esq, Shutts & Bowen LLP, 300 S Orange Ave, Ste 1000, Orlando, FL 32801; James M. Flick Esq, Flick Law Group, PL, 3700 S Conway Rd, #100, Orlando, FL 32812; Michael C Sasso, Esq, Michael A Sasso, Esq, Michael C. Sasso, PA, 1031 W Morse Blvd, #120, Winter Park, FL 32789; Old Florida National Bank, Attn: Mr. William Stangy, 315 E Robinson St, Ste 100, Orlando, FL 32801; all secured creditors and the 20 largest unsecured creditors, as shown on the matrix attached to the original of this summary filed with the Court; and the Office of the United States Trustee, George C. Young Federal Building, 400 West Washington Street, Suite 1100, Orlando, Florida 32801, this 10th day of December 2014.

/s/ Christopher R. Thompson
Christopher R. Thompson, Esq.

VISITOR'S FLEA MARKET

TIME SHEETPeriod from 11/30/14-12/08/14VINDRAWATIE DAHARRYSUN 8:00-5:00MON 8:00-5:00TUE 8:00-5:00WED 8:00-5:00THU 8:00-5:00FRI OFFSAT OFFHOURS WORKED 45SUN OFFMON 8:00-5:00TUE WED THU FRI SAT HOURS WORKED 9TOTAL= 5454 X \$9.50 = \$513.00TAX \$19.00 S.S. \$31.81 MED \$7.44 = \$454.75 CK# SHAMILA MARAJHSUN OFFMON OFFTUE OFFWED OFFThu OFFFRI 8:00-5:00SAT 8:00-5:00HOURS WORKED 18SUN OFFMON OFFTUE OFFWED OFFTHU OFFFRI OFFSAT OFFHOURS WORKED TOTAL = 18 X \$8.50 = \$153.00TAX 0.00 S.S. \$9.49 MED \$2.22 = \$141.29 CK#

EXHIBIT A

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